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The Federal Regulation of Toxic Substances in the Environment An Annotated Bibliography

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The Federal Regulation of Toxic Substances in the Environment an Annotated Bibliography

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This compilation is intended to provide a listing of select materials relating to the Federal regulation of toxic substances in the environment. Special emphasis is placed on the recently enacted Toxic Substances Control Act and on toxic chemical substances in general; materials dealing with pesticides and hazardous wastes are also included, but to a limited extent. This bibliography does not cover radioactive materials, food and drug additives, or cosmetics.

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THE FEDERAL REGULATION OF TOXIC SUBSTANCES IN THE ENVIRONMENT

AN ANNOTATED BIBLIOGRAPHY

John Denkowski
U.S. Environmental Protection Agency
Region II Library

May 1977

INTRODUCTION

This compilation is intended to provide a listing of select materials relating to the Federal regulation of toxic substances in the environment. Special emphasis is placed on the recently enacted Toxic Substances Control Act and on toxic chemical substances in general; materials dealing with pesticides and hazardous wastes are also included, but to a limited extent. This bibliography does not cover radioactive materials, food and drug additives, or cosmetics.

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[1] Includes materials prepared by the Congressional Research Service of the Library of Congress.

[2] Includes reports prepared by EPA, and by contractors for EPA.

[3] Includes textbooks, treatises, compilations, etc.

TOXIC SUBSTANCES CONTROL ACT

(1) Toxic Substances Control Act, Pub. L. No. 94-469, 90 Stat. 2003 (1976) (to be codified in 15 U.S.C. § 2601)

"An Act to regulate commerce and protect human health and the environment by requiring testing and necessary use restrictions on certain chemical substances, and for other purposes."

(2) House Comm. on Interstate and Foreign Commerce, Toxic Substances Control Act, H.R. Rep. No. 94-1341, 94th Cong., 2d Sess. (1976)

Report by the House Committee on Interstate and Foreign Commerce together with supplemental and minority views (including cost estimate of the Congressional Budget Office) to accompany H.R. 14032.

(3) Senate Comm. on Commerce, Toxic Substances Control Act, S. Rep. No. 94-698, 94th Cong., 2d Sess. (1976)

Report of the Senate Committee on Commerce on S. 3149 together with additional views.

(4) H.R. Rep. No. 94-1679, 94th Cong., 2d Sess. (1976)
S. Rep. No. 94-1302, 94th Cong., 2d Sess. (1976)

Toxic Substances Control Act conference committee report to accompany S. 3149.

(5) Debates

122 Cong. Rec. S4397-S4432 (daily ed. Mar. 26, 1976)
Senate considered and passed S. 3149.

122 Cong. Rec. H8803-H8863 (daily ed. Aug. 23, 1976)
House considered and passed S. 3149, amended, in lieu of H.R. 14032.

122 Cong. Rec. S16808-S16810 (daily ed. Sept, 28, 1976)
S17596-S17597 (daily ed. Oct. 1, 1976)
Senate agreed to a conference report.

122 Cong. Rec. H11343-H11348 (daily ed. Sept 28, 1976)
House agreed to a conference report.

(6) 12 Weekly Comp. of Pres. Doc. 1489 (Oct. 12, 1976)

Presidential statement.

(7) Environment and Natural Resources Policy Division, Congressional Research Service, Library of Congress, Legislative History of the Toxic Substances Control Act (1976)

"This document contains the major bills, reports, and debates which comprise the action of the 94th Congress concerning the act. Appendices contain a report of the Council on Environmental Quality which originally proposed this legislation and a bibliography of Congressional documents concerning Toxic Substances Control legislation from 1971 to 1976. A section-by-section index is included to permit easier access to provisions of concern."
(Items #1 through #6, and #54, are included in this compilation)

FEDERAL LAWS

(8) Clean Air Amendments of 1970, Pub. L. 91-604, 84 Stat. 1676, 42 U.S.C. § 1857 et seq.

"An Act to amend the Clean Air Act to provide for a more effective program to improve the quality of the Nation's air."

(9) Federal Insecticide, Fungicide, and Rodenticide Act, 61 Stat. 163 (1947), 7 U.S.C. § 135 et seq.

"An Act to regulate the marketing of economic poisons and devices, and for other purposes."

Amended by the Federal Environmental Pesticide Control Act of 1972, Pub. L. 92-516, 86 Stat. 973, 7 U.S.C. § 135 et seq.

(10) Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500, 86 Stat. 816, 33 U.S.C. § 1251 et seq.

"The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

(11) Marine Protection, Research, and Sanctuaries Act of 1972, Pub. L. 92-532, 86 Stat. 1052, 16 U.S.C. § 1431 et seq. and 33 U.S.C. § 1401 et seq.

"An Act to regulate the transportation for dumping, and the dumping, of material into ocean waters, and for other purposes."

(12) Resource Conservation and Recovery Act of 1976, Pub. L. 94-580, 90 Stat. 2795 (to be codified in 42 U.S.C. § 6901)

"An Act to provide technical and financial assistance for the development of management plans and facilities for the recovery of energy and other resources from discarded materials and for the safe disposal of discarded materials, and to regulate the management of hazardous waste."

This Act completely replaced the previous language of the Solid Waste Disposal Act.

(13) Safe Drinking Water Act, Pub. L. 93-523, 88 Stat. 1660 (1974), 42 U.S.C. § 300f et seq.

"An Act to amend the Public Health Service Act to assure that the public is provided with safe drinking water, and for other purposes,"

(14) Occupational Safety and Health Act of 1970, Pub. L. 91-596, 84 Stat. 1590, 29 U.S.C. § 651 et seq.

"An Act to assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes."

FEDERAL REGULATIONS

(15) Code of Federal Regulations (C.F.R.) (revised annually)

"The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas."

Title 40 is concerned with protection of the environment.

(16) Federal Register (Fed. Reg.) (Published daily, Monday through Friday, except Federal holidays)

"The Federal Register provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive orders and Federal agency documents having general applicability and legal effect, documents required to be published by Act of Congress and other Federal agency documents of public interest."

CONGRESSIONAL DOCUMENTS

(17) Environmental Policy Division, Congressional Research Service, Library of Congress, A Legislative History of the Clean Air Amendments of 1970 (Serial No. 93-18, 1974) (2 vols.)

This compilation contains the major bills, reports, debates and other documents which comprise the legislative history of the Clean Air Amendments of 1970. A section-by-section index is provided in Volume II.

(18) Environmental Policy Division, Congressional Research Service, Library of Congress, A Legislative History of the Water Pollution Control Act Amendments of 1972 (Serial No. 93-1, 1973) (2 vols.)

This compilation contains the major bills, reports, debates and other documents which comprise the legislative history of the Water Pollution Control Act Amendments of 1972. A section-by-section index is provided in Volume II.

(19) Staff of Subcomm. on Labor of Senate Comm. on Labor and Public Welfare, 92d Cong., 1st Sess., Legislative History of the Occupational Safety and Health Act of 1970 (Comm. Print 1971)

This compilation contains the major bills, reports, debates and other documents which comprise the legislative history of the Occupational Safety and Health Act of 1970. A section-by-section index and an alphabetical subject matter index are also included.

(20) Environmental Policy Division, Congressional Research Service, Library of Congress, Environmental Protection Affairs of the Ninety-Third Congress (Serial No. 94-2, 1975)

"This report summarizes the environmental activities of the 93d Congress. Individual chapters address the traditional categories of pollution--air, water, solid wastes, noise, toxic substances, radiation, et cetera."

"Each chapter is designed to stand alone as a fairly concise summary of congressional effort in each pollution category. . . . The chapters generally contain summaries of legislation enacted, proposed legislation, hearings, and other significant reports. Each chapter also attempts to describe the major issues with which the 93d Congress dealt."

(21) The Costs and Effects of Chronic Exposure to Low-Level Pollutants in the Environment: Hearings Before the Subcomm. on the Environment and the Atmosphere of the House Comm. on Science and Technology, 94th Cong., 1st Sess. (No. 49, 1975)

"The purpose of these hearings was to receive testimony regarding causes, effects, and costs of chronic low-level environmental pollution."

(22) Congressional Research Service, Library of Congress, Effects of Chronic Exposure to Low-Level Pollutants in the Environment (1975)

"The purposes of this study are: (1) to examine the threat to the environment from low-level chronic pollution; (2) to determine present research and development capability to assess, through testing and monitoring, the nature and extent of this threat; (3) to examine the adequacy of present standards to provide protection from low-level pollutants; and (4) to review, in general terms, the ability of current legislative approaches to control the entrance of chronic pollutants into our envionment."

(23) Majority Staff of the Subcomm. on Administrative Practice and Procedure of the Senate Comm. on the Judiciary, 94th Cong., 2d Sess., The Environmental Protection Agency and the Regulation of Pesticides (1976)

This report, issued in December of 1976, concludes "that pesticides regulation in the United States is fundamentally deficient," and charges EPA with having "largely failed in its responsibility to assure the safe use of pesticides as mandated by the Congress."

(24) Office of Technology Assessment, U.S. Congress, A Review of the U.S. Environmental Protection Agency Environmental Research Outlook, FY 1976 through 1980 (OTA-E-32, 1976)

In this report, Congress's Office of Technology Assessment criticizes EPA's initial research and development plan (item #30) for "failure to indicate a commitment to long-range research and, as a corollary, an excessive focus on short-term research and development issues related directly to the enforcement and/or achievement of EPA's current regulations."

GOVERNMENT REPORTS

Environmental Protection Agency

(25) U.S. Environmental Protection Agency, "EPA Enforcement" (1973-)

These reports document the Environmental Protection Agency's enforcement actions in the areas of air, water, and pesticide pollution. The First Two Years--A Review of EPA's Enforcement Program (PB-227 158) covers December 1970, the date of the Agency's formation, to November 1972. EPA Enforcement--Two Years of Progress (PB-244 948) covers December 1972 to November 1974. EPA Enforcement--A Progress Report covers December 1974 to December 1975.

(26) U.S. Environmental Protection Agency, Quality Criteria for Water (EPA-440/9-76-023, 1976)

"The Federal Water Pollution Control Act Amendments of 1972 require the Administrator of the Environmental Protection Agency to publish criteria for water quality accurately reflecting the latest scientific knowledge on the kind and extent of all identifiable effects on health and welfare which may be expected from the presence of pollutants in any body of water, including ground water. Proposed Water Quality Criteria were developed and a notice of their availability was published on October 26, 1973 (38 FR 29646). This present volume represents a revision of the proposed water quality criteria based upon a consideration of comments received from other Federal agencies, State agencies, special interest groups, and individual scientists.

This volume . . . addresses the effects of those basic water constituents and pollutants that are considered most significant in the aquatic environment in the context of our present knowledge and experience."

EPA - Office of Pesticide Programs

(27) Development Planning and Research Associates, Incremental Cost Impacts of the 1972 Federal Insecticide Fungicide and Rodenticide Act as Amended (EPA-540/9-76-002, 1976) (PB-250 963)

This study attempts to evaluate the economic impacts of the 1972 Federal Insecticide, Fungicide and Rodenticide Act, as amended, on the pesticide industry, pesticide users and consumers, and to describe inflationary impacts which may result.

(28) Little (Arthur D.), Inc., Evaluation of the Possible Impact of Pesticide Legislation on Research and Development Activities of Pesticide Manufacturers (EPA-540/9-75-018, 1975) (PB-245 023)

"The probable effects of past and current regulatory action on innovative research and development activity in the pesticide industry is the subject of this report."

(29) Office of Pesticide Programs, U.S. Environmental Protection Agency, EPA Compendium of Registered Pesticides (1972-) (5 vols. supplements)

Volume I: Herbicides and plant regulators; Volume II: Fungicides and nematicides; Volume III: Insecticides, acaricides, mollusicides and anti-fouling compounds; Volume IV: Rodenticides and mammal, bird and fish toxicants; Volume V: Disinfectants.

EPA - Office of Research and Development

(30) Office of Research and Development, U.S. Environmental Protection Agency, Environmental Research Outlook, FY 1976 through 1980. Report to Congress (1976) (to be updated annually)

This document represents the first attempt by EPA's Office of Research and Development to present a five-year overview of its research program, priorities, and trends. Among the areas covered in this report is a description of the Office's Health and Ecological Effects Program to provide information for the establishment and reevaluation of water quality criteria, air quality criteria, ocean disposal criteria, pesticide registration guidelines, effluent standards for toxic and hazardous materials, and radiation standards.

_____, Environmental Research Outlook, FY 1977 through FY 1981. Report to Congress (EPA-600/9-77-002, 1977)

EPA - Office of Solid Waste Management Programs

(31) Office of Solid Waste Management Programs, U.S. Environmental Protection Agency, Disposal of Hazardous Wastes: Report to Congress (SW-115, 1974)

"Section 212 of the Solid Waste Disposal Act (P.L. 89-272) as amended required that the U.S. Environmental Protection Agency (EPA) undertake a comprehensive investigation of the storage and disposal of hazardous wastes. This document represents EPA's Report to the President and the Congress.

The report is organized into a summary, five major sections, and appendixes. The first section discusses the congressional mandate and the Agency's response to it. Next, the public health, technological, and economic aspects of the problem of disposing of hazardous wastes are reviewed. A section detailing the case for hazardous waste regulation follows. The report concludes with a discussion of implementation issues and a presentation of findings and recommendations."
(Report delivered June 30, 1973, to the President and the Congress)

(32) Office of Solid Waste Management Programs, U.S. Environmental Protection Agency, Hazardous Waste Disposal Damage Reports (EPA/530/SW-151- , 1975-)

Series of periodically issued damage reports documenting incidents of improper land disposal of hazardous wastes.

(33) Office of Solid Waste Management Programs, U.S. Environmental Protection Agency, Public Meetings on Hazardous Waste Management, 1975 (SW-9p, 1976) (2 vols.)

This publication constitutes the official record of the meetings announced September 17, 1975, in the Federal Register and held in December by EPA's Office of Solid Waste Management Programs. The purpose of these meetings, held at various locations throughout the country, was to solicit public, industry, labor, and other Federal agency comment in order to assist EPA in determining the types and character of any advice and guidance which should be developed for the environmentally safe management of hazardous wastes.

(34) Office of Solid Waste Management Programs, U.S. Environmental Protection Agency, A Summary of Hazardous Substances Classification Systems (EPA/530/SW-171, 1975)

"This paper describes the criteria used by 23 systems to define a 'hazardous substance,' primarily for regulatory purposes."

EPA - Office of Toxic Substances

(35) Battelle Columbus Laboratories, Identification Systems for Selecting Chemicals or Chemical Classes as Candidates for Evaluation (EPA-560/1-74-001, 1974) (PB-238 196)

"This report summarizes the state of the art on systems, either existing or conceptual, that can be used or adapted for use to select, assess, and prioritize chemicals for their health or environmental effects."

(36) Battelle Memorial Institute, Papers of a Seminar on Early Warning Systems for Toxic Substances (EPA-560/1-75-003, 1975) (PB-244 412)

"These proceedings present the results of a 3-day seminar held at Battelle's Seattle Research Center early in 1974. The purpose of the seminar was to examine some of the tools that currently exist which may be applicable to the early identification, assessment and prioritization of chemical substances that impact adversely on man or his environment."

(37) Midwest Research Institute, "Sampling and Analysis of Selected Toxic Substances" (1976-) (series of reports)

"The purpose of this program is to provide sampling and analysis capabilities to EPA's Office of Toxic Substances, so that the levels of suspected toxic substances in air, water, soil, and sediment at designated locations throughout the United States may be determined."

(38) National Bureau of Standards, Summary of the Office of Toxic Substances Requirements Resulting from the Toxic Substances Control Act and a Preliminary Specification for a Data Management System (EPA-560/3-74-001, 1974) (PB-238 088)

"This report presents a requirements analysis and feasibility study for the data management system needed to use effectively industrial reporting data resulting from the [then] proposed Toxic Substances Control Act."

(39) Office of Toxic Substances, U.S. Environmental Protection Agency, Activities of Federal Agencies Concerning Selected High Volume Chemicals (EPA-560/4-75-001, 1975) (PB-240 133)

"This Report summarizes the nature and extent of many of the research and regulatory activities of the Environmental Protection Agency and other Federal Agencies directed towards fifty high volume chemicals. The Report is intended to assist those persons and organizations interested in anticipating and avoiding future incidents involving major chemicals."

(40) Office of Toxic Substances, U.S. Environmental Protection Agency, Analysis of the National Academy of Sciences' Report "Decision-Making for Regulating Chemicals in the Environment" (EPA-560/3-76-001, 1976)

Prepared by the EPA Office of Toxic Substances, with input from other Offices within the Agency, this document contains an analysis of the thirty-four recommendations presented in the National Academy of Sciences' report (Item #59).

(41) Office of Toxic Substances, U.S. Environmental Protection Agency, Assessment and Control of Chemical Problems: An Approach to Implementing the Toxic Substances Control Act (1977)

"This draft document describes a possible approach to the implementation of the Toxic Substances Control Act (TSCA). It represents the first step in the development of an overall strategy for implementation of the new law."

(42) Office of Toxic Substances, U.S. Environmental Protection Agency, Core Activities of the Office of Toxic Substances (Draft Program Plan) (EPA-560/4-76-005, 1976) (PB-257 139)

"This report sets forth the core activities of the Office of Toxic Substances and the Office's future program plan. It describes a variety of efforts to identify, characterize, and reduce environmental problems associated with toxic chemicals."

(43) Office of Toxic Substances, U.S. Environmental Protection Agency, Draft Economic Impact Assessment for the Proposed Toxic Substances Control Act (S. 776) (EPA-560/4-75-002, 1975) (PB-242 826)

This draft report sets forth preliminary estimates of the direct costs likely to result to industry from the implementation of S. 776, an earlier version of the Toxic Substances Control Act.

(44) Office of Toxic Substances, U.S. Environmental Protection Agency, A Framework for the Control of Toxic Substances (A Compilation of Speeches) (EPA-560/4-75-004, 1975) (PB-243 459)

A compilation of speeches made between October of 1973 and March of 1975 by Glenn E. Schweitzer, the Director of the EPA Office of Toxic Substances.

(45) Office of Toxic Substances, U.S. Environmental Protection Agency, Identification of Selected Federal Activities Directed to Chemicals of Near-Term Concern (EPA-560/4-76-006, 1976) (PB-257 494)

"This Report is intended to assist Federal agencies and other interested organizations obtain current information on the on-going activities of EPA directed to selected chemicals of near-term concern. In addition to identifying the principal EPA programs related to these chemicals, the Report also includes significant activities of other organizations when that information is available."

(46) Office of Toxic Substances, U.S. Environmental Protection Agency, An Ordering of the NIOSH Suspected Carcinogens List Based Only on Data Contained in the List (EPA-560/1-76-003, 1976) (PB-251 851)

"This document is the first product of an effort to arrange the substances presented in the NIOSH Suspected Carcinogens Subfile in a meaningful and useful way. Utilizing carcinogenic related data presented in the NIOSH Subfile, a four-digit number was computed for each substance to indicate the relative degree of concern that might be warranted regarding its possible carcinogenic potential. This first listing in this document presents the substances in order of the four-digit number computed for each. A second listing presents the substances alphabetically by compound name."

(47) Office of Toxic Substances, U.S. Environmental Protection Agency, Preliminary Assessment of Suspected Carcinogens in Drinking Water: An Interim Report to Congress (EPA-560/4-75-003 and EPA-560/4-75-003A, 1975) (PB-244 415 and PB-244 416) (2 vols.)

This report was prepared in response to a Safe Drinking Water Act amendment directing the EPA Administrator to "conduct a comprehensive study of public water supplies and drinking water sources to determine the nature, extent, sources of and means of control of contamination by chemicals or other substances suspected of being carcinogenic."

(48) Office of Toxic Substances, U.S. Environmental Protection Agency, Selected Aspects of the Control of Toxic Substances (A Compilation of Speeches) (EPA-560/4-76-002, 1976) (PB-254 417)

This collection of speeches by members of the staff of the Office of Toxic Substances serves to reflect the evolution of the interests, policies, and programs of the Office during the past several years.

(49) Office of Toxic Substances, U.S. Environmental Protection Agency, Summary Characterizations of Selected Chemicals of Near-Term Interest (EPA-560/4-76-004, 1976) (PB-255 817)

"This report includes summary characterizations of 15 chemicals of near-term concern to EPA. The report summarizes (a) health and ecological effects and environmental behavior, (b) sources, environmental levels and exposed populations, (c) technologic and economic aspects and (d) steps that have been and are being taken."

(50) Office of Toxic Substances, U.S. Environmental Protection Agency, Summary Tabulation of Selected EPA Activities Concerning Toxic Chemicals (EPA-560/4-76-001, 1976) (PB-253 172)

"The tabulation in this Report summarizes EPA's current activities directed to related toxic chemicals, with emphasis on current and near-term regulatory activities."

EPA - Office of Water Planning and Standards

(51) Battelle-Northwest, Richland, Wash. Pacific Northwest Lab., Determination of Harmful Quantities and Rates of Penalty for Hazardous Substances (EPA-440/9-75-005a through EPA-440/9-75-005d, 1974-1975) (PB-257 793 through PB-257-796)

"U.S. legislation requires the formulation of regulations designating specific hazardous substances and the delineation of harmful quantities for these substances. Penalty rates are to be established for spillage of non-removable hazardous substances to motivate greater efforts in the area of spill prevention. The objective of the subject study was to examine several technical alternatives for developing harmful quantity and penalty regulations. Four such methodologies are reported."

(52) Office of Water Planning and Standards, U.S. Environmental Protection Agency, "Criteria Documents"

These documents summarize the physical/chemical properties, toxicological information, and environmental fate and effects of selected toxic pollutants, with emphasis on aquatic behavior. From these data a criterion for the protection of aquatic life and human health is developed.

Council on Environmental Quality

(53) Council on Environmental Quality, "Annual Report" (1970 to date) (annual)

The Council on Environmental Quality was established by the National Environmental Policy Act of 1969, to formulate and recommend national policies to promote the improvement of the quality of the environment. One of the Council's functions is to assist the President in the preparation of an annual environmental quality report to the Congress. To date, these annual reports have contained sections reviewing the harmful effects of substances that were most recently discovered to be hazardous. The Council's Sixth Annual Report contains a special section on carcinogens in the environment.

(54) Council on Environmental Quality, Toxic Substances (1971) (PB-245 378)

This 1971 report by the Council on Environmental Quality outlines the need for legislation to protect human health and the environment from the effects of toxic chemical substances.

National Institute for Occupational Safety and Health

(55) National Institute for Occupational Safety and Health, "Criteria Documents"

"The development of criteria documents as a basis for standards for occupational exposure to chemical and physical hazards is a continuing activity of NIOSH. These criteria documents are publications which are prepared from a critical evaluation of all published medical, biological, engineering, and trade information and data for the purpose of establishing the concentration of a substance in the occupational environment which has been found to cause no harmful, 'toxic' effects in people working for up to ten hours per day, for forty hours per week, for a normal working life time."

(56) National Institute for Occupational Safety and Health, Registry of Toxic Effects of Chemical Substances (6th ed., 1976) (annual)

"The annual publication of a list of known toxic substances is a NIOSH mandate under the Occupational Safety and Health Act of 1970. [This registry] is intended to provide basic information on the known toxic and biological effects of chemical substances for the use of employers, employees, physicians, industrial hygenists, toxicologists, researchers and, in general, anyone concerned with the proper and safe handling of chemicals."

A typical entry for a substance listed in the registry may include: the prime name of the substance; a Chemical Abstracts Register Number; the molecular weight; the molecular or elemental formula; the Wiswesser Line Notation; synonyms; toxic dose data; a reference to the source from which the toxic dose data was derived; an aquatic toxicity rating; information concerning Threshold Limit Values and cancer reviews; information concerning standards and regulations promulgated by Federal agencies; and information concerning NIOSH Criteria Documents.

(57) National Institute for Occupational Safety and Health, Suspected Carcinogens: A Subfile of the NIOSH Toxic Substances List (1975)

"This publication is the first in a series of subfiles extracted from the National Institute for Occupational Safety and Health (NIOSH) Toxic Substances List. The objective of this edition is to assemble in one list all the chemicals identified as having carcinogenic activity as reported in the literature. . . . This publication is intended to meet general information needs on potential chemical carcinogens as well as to provide documentation for the list of approximately 1500 chemical substances published by NIOSH in the Federal Register."

National Research Council and National Academy of Sciences

(58) Committee on Medical and Biologic Effects of Environmental Pollutants, National Research Council, "Medical and Biologic Effects of Environmental Pollutants" (197?-)

The objective of this series of reports is to present a balanced and comprehensive survey of selected environmental pollutants in relation to health, for the information of the scientific community and the general public, and for the guidance of standard setting agencies. To date, volumes in the series include: asbestos, chromium, fluorides, particulate polycyclic organic matter, manganese, vanadium, nickle, copper, vapor-phase organic pollutants, selenium, and chlorine and hydrogen chloride.

(59) National Academy of Sciences, Decision Making for Regulating Chemicals in the Environment (1975)

"This report analyzes the key aspects of the process for making regulatory decisions about chemicals in the environment. It focuses primarily on industrial chemicals and on decision making at the federal level. The factors external to a regulatory agency--the statutory framework and the participation of groups outside an agency--are considered first. The use of information within the agency is then considered."

"The intent of the study was to assess the state of the art on this type of decision making, to identify inadequacies in current methods, and to make recommendations that could aid EPA and other regulatory agencies in making more equitable and scientifically sound decisions for controlling chemicals in the environment."

(60) National Academy of Sciences, Principles for Evaluating Chemicals in the Environment (1975) (PB-240 916)

This report provides information on ways to evaluate and test environmental chemicals for their potential impact on health and the environment. Areas of discussion include general considerations of risk-benefit analysis, exposure levels, and statistical considerations; human health effects of acute and subchronic toxicity, chronic toxicity, chemical carcinogenesis, effects on reproduction and behavior; nonhuman biological effects including simulated systems, field studies of populations and ecosystems, and episodic exosures; effects on inanimate systems; and analysis and monitoring.

Department of Health, Education, and Welfare

(61) Secretary's Commission on Pesticides and Their Relationship to Environmental Health, U.S. Department of Health, Education, and Welfare, Report of the Secretary's Commission on Pesticides and Their Relationship to Environmental Health (1969) (PB-251 630)

"The Secretary's Comission on Pesticides and Their Relationship to Environmental Health was appointed in April 1969 and charged with the responsibility of gathering all available evidence on both the benefits and risks of using pesticides, evaluating it thoroughly, and reporting their findings to the Secretary [of Health, Education, and Welfare]. The Commission concluded that there is adequate evidence concerning potential hazards to the environment and to man's health to require corrective action. Part I contains the Commission's unanimous recommendations along with summaries of the reports of four Subcommittees to the Commission. Part II contains the complete reports and conclusions of four Subcommittees and the four Advisory Panels to the Commission."

LOOSE-LEAF SERVICES

(62) Chemical Regulation Reporter (Bureau of National Affairs)

The new BNA Chemical Regulation Reporter consists of three parts: Current Reports, a Reference File, and Hazardous Materials Transportation. The Current Reports binder is updated weekly and provides information on developments relating to Federal chemical regulations. The Reference File binder contains reference information on regulations based under the Toxic Substances Control Act; rules on the disposal of chemicals in air, in water, or on land; rules and regulations of EPA's pesticide program; and on radioactive chemicals. In the Hazardous Materials Trasportation binder are rules and regulations on the transportation of chemicals and other hazardous materials.

(63) Environment Reporter (Bureau of National Affairs)

The BNA Environment Reporter (Envir. Rep.) is organized in three parts: Current Developments, Decisions, and a Reference File. The Current Developments binder is updated weekly and provides information on Federal and state governmental actions relating to pollution control; the Decisions binder provides digests and texts of Federal and state court decisions on pollution control and other environmental management litigation; and the Reference File binders contain materials of permanent reference value, such as Federal laws and regulations, state air and water laws and regulations, and state solid waste land-use laws and regulations.

(64) Occupational Safety & Health Reporter (Bureau of National Affairs)

The BNA Occupational Safety & Health Reporter is organized in three parts: Current Reports, Decisions, and a Reference File. The Current Reports binder is updated weekly and provides information on governmental actions relating to occupational safety and health; the Decisions binder includes significant court and Occupational Safety and Health Review Commission decisions; and the Reference File binder contains materials of permanent reference value, such as statutes and orders, standards, and regulations.

(65) Toxic Materials Reference Service (Business Publishers, Inc.)

This new service is intended to report on legislation, rules and regulations, and significant court cases relating to toxic materials. Initial documentation includes the Toxic Substances Control Act along with various Congressional reports that comprise the Act's legislative history; sections of the Clean Air Act, the Federal Water Pollution Control Act, and the Resource Conservation and Recovery Act of 1976 that relate to hazardous and toxic pollutants; plus regulations, guidelines, and other information relevant to the management of toxic substances.

(66) Pollution Control Guide (Commerce Clearing House)

Contained in five consecutively-numbered binders plus a newsletter binder, the CCH Pollution Control Guide covers the compliance requirements established under the Federal pollution control statutes. "Volume One contains the explanations of the various pollution control programs. Here the laws, regulations, administrative and judicial determinations and related official explanatory material are brought together in a unified discussion arranged by topic. Volumes Two and Three contain explanations of additional topics related to the pollution control programs and feature the official texts of the federal laws and regulations (proposed and adopted) which form the basis for the Volume One explanations. Volume Four contains the divisions relating to new matters including federal cases and new developments. The remaining volume is used to accumulate the weekly newsletter."

(67) Environment Regulation Handbook (Environment Information Center)

The Environment Regulation Handbook is divided into four major parts: an Introductory Section, a Regulatory Section, an Index Section, and a Retrieval Section. The Introductory Section contains a chapter on Government Aid and a Directory of Pollution Control Officials. The Regulatory Section contains chapters on Air Pollution, Land Use, Mobile Sources, the National Environmental Policy Act, Noise, Pesticides, Radioactive Materials, Solid Wastes, Toxic Substances, and Water Pollution. The Index Section provides a subject guide to the Handbook, and the Retrieval Section contains listings of documents available from the Environment Information Center. A special section on energy has recently been added.

(68) Environmental Law Reporter (Environmental Law Institute)

Published monthly by the Environmental Law Institute (a nonprofit national center for research and training in environmental law), this service provides the texts of legal materials relating to environmental topics along with articles, notes, and commentaries on developments in in the field. The Environmental Law Reporter is organized as folows:

Current Volume Year Binder - "divided by tab sections for Summary and Comments, Litigation, Administrative Proceedings, Articles and Notes, Law Review Bibliography arranged by subject area, and Indexes. Access to all previously reported cases is included in a Table of Cases which cites the official and other reporter systems." Volumes for past years are also provided.

Statutes and Regulations Binder - "containing all pertinent treaties, conventions, statutes, regulations, and implementing directives updated regularly with new or revised material."

Pending Litigation/Document Service Binder - "containing summaries of moving papers filed in significant cases since 1970. This section also provides information on obtaining full-text copies of summarized papers and on subscriber access to [the Environmental Law Institute's] repository of over 6000 environmental impact statements. Material is indexed according to legal theory."

NEWSLETTERS

(69) Toxic Materials News (Business Publishers, Inc.)

Weekly newsletter covering developments relating to toxic substances.

(70) Pesticide Chemical News (Food Chemical News, Inc.)

Weekly newsletter covering developments regarding the laws and regulations governing pesticides and toxic chemicals.

INDEXES AND BIBLIOGRAPHIES

(71) Library Systems Branch, U.S. Environmental Protection Agency, EPA Reports Bibliography Quarterly (1975 to date) (National Technical Information Service)

This quarterly bibliography series supplements the original "EPA Reports Bibliography" (EPA-LIB-73-01; PB-223 693) dated July 1973 and the first supplement (EPA-LIB-74-03; PB-234 215) dated August 1974, and the second supplement (PB-238 800) dated December 1974. It contains citations, abstracts and author, corporate source, subject, contract number, accession/report number, and title indexes for all U.S. Environmental Protection Agency and its predecessor agencies' reports entered into the National Technical Information Service Collection in the period noted.

(72) National Technical Information Service, Government Reports Announcements & Index (biweekly, with annual index cumulations)

"The National Technical Information Service (NTIS) of the U.S. Department of Commerce is the central source for the public sale of Government-sponsored research, development and engineering reports and other analyses prepared by Federal agencies, their contractors or grantees, or by Special Technology groups."

In each issue of Government Reports Announcements & Index, main entries for reports are arranged by subject group and field, and an abstract is provided with each main entry. The reports are indexed by subject, personal author, corporate author, contract number, and accession/report number.

(73) U.S. Superintendent of Documents, Monthly Catalog of United States Government Publications (U.S. Government Printing Office)

The Monthly Catalog provides a current listing of publications issued by all branches of the Federal Government, including Congress. Monthly issues contain author, title, and subject indexes. With the July 1976 issue, a change in format was introduced: entries are now made according to Anglo-American cataloging rules. Also, a series/report index has been added.

(74) Congressional Information Service, CIS/Index (1970 to date) (monthly, with quarterly and annual cumulations)

The CIS/Index abstracts and indexes hearings, reports, committee prints, and other Congressional documents issued during the previous month; this information is then cumulated on a quarterly and an annual basis. In addition to the material contained in the monthly and quarterly issues, the CIS/Annual also provides brief descriptions and legislative histories of all Public Laws enacted during the previous year and a guide to multi-volume hearings.

(75) Office of Toxic Substances, U.S. Environmental Protection Agency, Semi-Annual List of Reports Prepared for or by the Office of Toxic Substances (1975? to date)

An annotated listing of Office of Toxic Substances reports published by the National Technical Information Service during the six-month period covered. A subject index is provided.

(76) Franklin Institute Research Laboratories, Current Awareness Service on Toxic Substances (1976 to date) (biweekly) (Prepared for the EPA Office of Toxic Substances)

These reports contain citations (with brief abstracts) to toxic-substances-related items found in current issues of selected scientific periodicals, government publications, trade journals, and foreign journals. A subject index is provided.

(77) National Library of Medicine, Toxicity Bibliography (1968 to date) (quarterly)

"The Toxicity Bibliography covers the adverse and toxic effects of drugs and chemicals [as] reported in approximately 2,500 biomedical journals," and is divided into two major sections: (1) Drugs and Chemicals and (2) Adverse Reactions to Drugs and Chemicals. A subject index and an author index are provided for the Drugs and Chemicals section.

(78) Environment Information Center, Environment Index (1971 to date) (annual)

This annual review of environmental literature provides subject, SIC code, geography, and author indexes to information appearing in technical and non-technical periodicals and journals, government documents, special reports, and other publications, plus a Federal Register index to significant environmental entries. It also covers conferences, books, and films, and contains a directory of pollution control officials, a review of environment-related events that have occurred during the year, and information concerning environmental legislation.

RESERVE MINING CO. v. ENVIRONMENTAL PROTECTION AGENCY

(79) Reserve Mining Co. v. Environmental Protection Agency, 514 F.2d 492 (8th Cir. 1975)

This case involves actions brought by the United States plus several states and several environmental groups to force the Reserve Mining Company to cease discharging taconite (low-grade iron ore) wastes from its processing plant in Silver Bay, Minnesota, into the ambient air of Silver Bay and the waters of Lake Superior. These wastes have been found to contain mineral fibers identical to amosite asbestos or similar to amosite asbestos, and have contaminated the drinking water of Duluth and other communities on the north shore of Lake Superior. The inhalation of asbestos is known to cause cancer; the health effects of ingested asbestos have not yet been determined.

In April of 1974, a Federal district court issued an injunction directing Reserve to halt its discharge of taconite wastes into the waters of Lake Superior. United States v. Reserve Mining Co., 380 F.Supp 11 (D. Minn. 1974). This injunction would effectively close the Silver Bay plant; Reserve promptly appealed.

In March of 1975, after several temporary stays of the lower court order, the U.S. Court of Appeals for the Eighth Circuit held:

(1) that it had been established that Reserve's discharges into the air and water gave rise to a potential threat to the public health and that the risk to public health was of sufficient gravity to be legally cognizable and called for an abatement order on reasonable terms;

(2) that it had been shown that Reserve's discharges violated Federal and state laws and state pollution control regulations, also justifying injunctive relief on equitable terms;

(3) that no harm to the public health had been shown to have occurred to the date of the decison and that the danger to health was not imminent; that the evidence called for preventive and precautionary steps; that no reason existed which required that Reserve terminate its operation at once;

(4) that Reserve, with its parent companies, was entitled to a reasonable opportunity and a reasonable time period to convert its Minnesota taconite operations to on-land disposal of taconite wastes and to restrict air emissions at its Silver Bay plant, or to close its existing Minnesota taconite-pelletizing operations; that the parties were required to expedite consideration and resolution of these alternatives; and

(5) that the evidence suggested that the threat to public health from the air emissions was more significant than that from the water discharge and, consequently, that Reserve must take reasonable immediate steps to reduce its air emissions.

LAW REVIEW ARTICLES

(80) Brown, Projected Environmental Harm: Judicial Acceptance of a Concept of Uncertain Risk, 53 J. Urban L. 497 (1976)

This comment discusses the significance of a flexible approach by the courts in assessing the anticipated health and environmental hazards of substances whose harmful effects have yet to be demonstrated conclusively.

(81) Gelpe & Tarlock, The Uses of Scientific Information in Environmental Decisionmaking, 48 S. Calif. L. Rev. 371 (1974)

Contained in this article are discussions on scientific and legal concepts of proof, on the nature of information about ecological systems, and on factors relevant to risk-benefit analysis.

(82) Katz, Environmental Law--In Environmental Cases Involving Scientific Unknowns, Risk-Benefit Analysis, Rather than Traditional Standard of Proof, Will Determine Whether Imminent Health Hazard Exists. Environmental Defense Fund, Inc. v. EPA, 510 F.2d 1292 (D.C. Cir. 1975) 25 Cath. U. L. Rev. 178 (1975)

This casenote discusses the application of risk-benefit analysis by the courts in deciding a case involving the banning of two pesticides (aldrin and dieldrin) whose health and environmental effects had not been scientifically proven.

(83) Masten, Epistemic Ambiguity and the Calculus of Risk: Ethyl Corporation v. Environmental Protection Agency, 21 S. D. L. Rev. 425 (1976)

"This comment presents a detailed examination of the relationship between legal standards of proof, statistical evidence, and the conditions of valid scientific predictive inference in public health hazard litigation. The resolution of uncertainties in the analysis of risk in Ethyl Corp. v. Environmental Protection Agency and Reserve Mining Co. v. Environmental Protection Agency is contrasted with the treatment of the risk of accidents in the current nuclear power safety debate."

(84) Olpin, Policing Toxic Chemicals, 1976 Utah L. Rev. 85 (1976)

This article gives a brief summary of why policies and procedures designed to determine in advance the potential hazardous effects of new chemical substances, before they are put into use, are needed to reduce the waste of human and economic resources.

(85) Potential Health Hazards and the Burden of Proof: The Implications of Reserve Mining, 60 Iowa L. Rev. 299 (1974)

This comment discusses "the issue of what 'rules of proof' are applicable in interstate pollution suits, particularly when the plaintiffs allege an actual or threatened hazard to the public health."

(86) Prater, Reserve Mining Co. v. Environmental Protection Agency: Scientific Uncertainty and Environmental Threats to Human Health, 1975 Utah L. Rev. 581 (1975)

This brief comment contains a discussion of the court's analysis in Reserve Mining Co. v. Environmental Protection Agency, 514 F.2d 492 (8th Cir. 1975).

(87) Reserve Mining--The Standard of Proof Required to Enjoin an Environmental Hazard to the Public Health, 59 Minn. L. Rev. 893 (1975)

This note analyzes the risk-benefit approach--the theory "that if the risks of harm (the first two factors considered together) outweigh the benefits of the activity, relief should be granted whether or not the ordinary standard of proof has been met"--as it was implemented by the appellate court that decided the case of Reserve Mining Co. v. Environmental Protection Agency, 514 F.2d 492 (8th Cir. 1975).

(88) Selbst, Reserve Mining Company v. Environmental Protection Agency: Propable Injury and Balancing Equities--What Constitutes Acceptable Proof? 1975 Det. C. L. Rev. 335 (1975)

This note traces "the history and development of the Reserve Mining facility, the medical and scientific developments, and the equities that bear upon the litigation."

(89) Spector, Regulation of Pesticides by the Environmental Protection Agency, 5 Ecology L. Q. 233 (1976)

"After summarizing the provisions of FEPCA that require decisions on environmental effects, this article describes the bureaucratic framework within which those decisions are made. It then presents a case history of one pesticide [(Aldrin/Dieldrin)] that EPA removed from the market, as an introduction to the types of problems that can arise in the pesticide regulation process. These problems next are analyzed in a more general context."

BOOKS

(90) R. Carson, Silent Spring (1962)

Rachel Carson's Silent Spring is concerned with the environmental harm and health hazards that result from the indiscriminate use of toxic chemicals to control insects and weed growth; the book is well written and thoroughly documented.

(91) D. Currie, Pollution: Cases and Materials (1975) (West: American Casebook Series)

This work is concerned with explaining the regulatory schemes used in the United States to control pollution. Relying largely upon the Clean Air Act as the context of discussion, the author has devoted a large portion of the text to describing the actual rule-making process involved in determining standards.

(92) E. Dolgin & T. Guilbert, Federal Environmental Law (1974) (West)

Prepared under the direction of the Environmental Law Institute (a nonprofit national center for research and training in environmental law), this treatise "provides a comprehensive analysis of the role of federal law in protecting and enhancing environmental quality."

(93) R. Druley & G. Ordway, The Toxic Substances Control Act (1977) (Bureau of National Affairs)

"This book provides a detailed summary and analysis of the provisions of the Toxic Substances Control Act of 1976, and tells what the law means to manufacturers, processors, distributors, importers, exporters, and states, as well as to the Environmental Protection Agency and other federal agencies. It also offers the text of the Act, a legislative history, key congressional reports, and excerpts from floor debate." --Publisher's promotion

(94) Environmental Law Review (1970 to date) (Clark Boardman Co.)

An annual compilation of selected law review articles relating to environmental topics.

(95) F. Grad, Environmental Law, Sources and Problems (1971) (Supp., 1975) (Matthew Bender)

Among the topics covered in this legal treatise are environmental pollution (water pollution, air pollution, solid wastes, radiation, and noise), land-use planning, conservation of public lands, energy needs and the environmental impact, and environmental litigation.

(96) O. Gray, Cases and Materials on Environmental Law (2d ed., 1973) (Bureau of National Affairs) (annual supplements)

Compilation of laws and court cases relating to environmental topics.

(97) A. Reitze, Environmental Law (2d ed., 1972) (North American International) (2 vols.)

Designed to serve as both a treatise and a textbook, this work covers a number of topics, including the National Environmental Policy Act, solid wastes and recycling, air pollution, water pollution, and private environmental remedies.

(98) U.S. Environmental Protection Agency, Current Laws: Statutes and Executive Orders (1974- ?)

Contained in four loose-leaf volumes, EPA Current Laws consists of the Statutes and Executive orders that are directly related to the Agency, and is intended for the general use of Agency personnel. The laws in this set are divided into eight chapters: General, Air, Water, Solid Waste, Pesticides, Radiation, Noise, and International.

(99) U.S. Environmental Protection Agency, Legal Compilation: Statutes and Legislative History, Executive Orders, Regulations, Guidelines and Reports (1974- ?) (approximately 40 vols.)

The EPA Legal Compilation consists of the Statutes with their legislative history, Executive orders, Regulations, and Guidelines and Reports that comprise the legal authority under which the Agency operates. This set is divided into the following chapters: General, Air, Water, Solid Waste, Pesticides, Radiation, and Noise. The compilation is intended for general use of Agency personnel.

(100) V. Yannacone, B. Cohen, & S. Davison, Environmental Rights and Remedies (1972) (Lawyers Co-operative Publishing Co.) (2 vols.)

"Environmental Rights and Remedies is a two volume set intended as a practical handbook on the subject of environmental law. It contains the law, science, strategies and tools involved in the legal protection of the environment."

Included in Volume One are chapters on Environmental Protection and the Law, the Trust Doctrine, the Ninth Amendment, Nuisance and Other Common Law Remedies, Environmental Legislation, Environmental Litigation, and the Administrative Agency and the Environment. Volume Two contains chapters on Environmental Toxicants, Air Pollution, Radiation, Noise, Water Pollution, and Land Use and Resource Management.